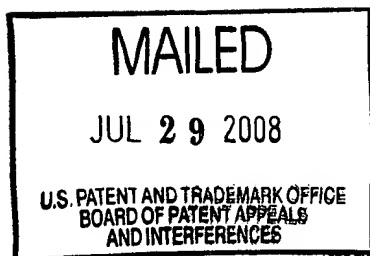


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte NATHAN S. LEWIS,
CAROL LEWIS, ROBERT GRUBBS
and
GREGORY ALLEN SOTZING

Application 09/409,644

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER


A Supplemental Examiner's Answer was mailed on August 22, 2007 in response to the Reply Brief filed May 10, 2007. However, this Answer is deficient pursuant to § 1207.05 of the Manual of Patent Examining Procedure (MPEP) (Eighth Edition, Rev. 5, August 2006) which states that "[e]very supplemental examiner's answer must be approved by a Technology Center (TC) Director or designee." It should be noted that TC 1700 only allows approval by the Director or a Quality Assurance Specialist (QAS). Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- 1) for obtaining the signature of the Technology Center (TC) Director or QAS on the Supplemental Examiner's Answer mailed August 22, 2007; and
- 2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
DALE M. SHAW
Chief Appeals Administrator
(571) 272-9797

DMS:psb

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